

106TH CONGRESS  
2D SESSION

# H. R. 4442

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IN THE SENATE OF THE UNITED STATES

JULY 12, 2000

Received; read twice and referred to the Committee on Environment and  
Public Works

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## AN ACT

To establish a commission to promote awareness of the National Wildlife Refuge System among the American public as the System celebrates its centennial anniversary in 2003, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2       This Act may be cited as the “National Wildlife Ref-  
3 uge System Centennial Act”.

4 **SEC. 2. FINDINGS AND PURPOSES.**

5       (a) FINDINGS.—The Congress finds the following:

6           (1) President Theodore Roosevelt began the  
7 National Wildlife Refuge System by establishing the  
8 first refuge at Pelican Island, Florida, on March 14,  
9 1903.

10          (2) The National Wildlife Refuge System is  
11 comprised of more than 93,000,000 acres of Federal  
12 lands managed by the United States Fish and Wild-  
13 life Service in more than 520 individual refuges and  
14 thousands of waterfowl production areas located in  
15 all 50 States and the territories of the United  
16 States.

17          (3) The System is the only network of Federal  
18 lands dedicated singularly to wildlife conservation  
19 and where wildlife dependent recreation and environ-  
20 mental education are priority public uses.

21          (4) The System serves a vital role in the con-  
22 servation of millions of migratory birds, endangered  
23 species and threatened species, fish, marine mam-  
24 mals, and the habitats on which these species de-  
25 pend.

1           (5) Each year the System provides millions of  
2       Americans with opportunities to participate in wild-  
3       life-dependent recreation, including hunting, fishing,  
4       and wildlife observation.

5           (6) Public visitation to National Wildlife Ref-  
6       uges is growing, with more than 35,000,000 visitors  
7       annually. It is essential that visitor centers and pub-  
8       lic use facilities be properly constructed, operated,  
9       and maintained.

10          (7) The National Wildlife Refuge System Vol-  
11       unteer and Community Partnership Enhancement  
12       Act of 1998 (Public Law 105–242) significantly en-  
13       hances the ability to incorporate volunteers and  
14       partnerships in refuge management.

15          (8) The System currently has an unacceptable  
16       backlog in critical operations and maintenance  
17       needs.

18          (9) The centennial anniversary of the System in  
19       2003 offers an historic opportunity to appreciate  
20       these natural resources and expand public enjoyment  
21       of these lands.

22       (b) PURPOSES.—The purposes of this Act are the fol-  
23       lowing:

24           (1) To establish a commission to promote  
25       awareness of the National Wildlife Refuge System

1 among the American public as the System celebrates  
2 its centennial anniversary in 2003.

3 (2) To develop a long-term plan to meet the  
4 priority operations, maintenance, and construction  
5 needs of the System.

6 (3) To require each fiscal year an annual report  
7 prepared in the context of—

8 (A) the budget submission of the Depart-  
9 ment of the Interior to the President; and

10 (B) the President’s budget request to the  
11 Congress.

12 (4) To improve public use programs and facili-  
13 ties of the System to meet the increasing needs of  
14 the public for wildlife-dependent recreation in the  
15 21st century.

16 **SEC. 3. NATIONAL WILDLIFE REFUGE SYSTEM CENTENNIAL**  
17 **COMMISSION.**

18 (a) ESTABLISHMENT.—There is hereby established  
19 the National Wildlife Refuge System Centennial Commis-  
20 sion (in this Act referred to as the “Commission”).

21 (b) MEMBERS.—

22 (1) IN GENERAL.—The Commission shall be  
23 composed of the following members:

24 (A) The Director of the United States Fish  
25 and Wildlife Service.

1 (B) Up to 10 persons recommended by the  
2 Secretary of the Interior and appointed by the  
3 President.

4 (C) The chairman and ranking minority  
5 member of the Committee on Resources of the  
6 House of Representatives and of the Committee  
7 on Environment and Public Works of the Sen-  
8 ate, the congressional representatives of the Mi-  
9 gratory Bird Conservation Commission, and the  
10 Secretary of the Interior, who shall be ex-officio  
11 members.

12 (2) APPOINTMENTS.—Members of the Commis-  
13 sion shall be appointed no later than 90 days after  
14 the effective date of this Act. Persons appointed by  
15 the President as members of the Commission may  
16 not otherwise be officers or employees of the Federal  
17 Government and shall, in the judgment of the Presi-  
18 dent, represent the diverse beneficiaries of the Sys-  
19 tem and have outstanding knowledge or appreciation  
20 of wildlife, natural resource management, or wildlife-  
21 dependent recreation. In making such appointments,  
22 the President shall make every effort to ensure that  
23 the views of the hunting, fishing, and wildlife obser-  
24 vation communities are represented on the Commis-  
25 sion.

1           (3) VACANCIES.—Any vacancy in the  
2 Commission—

3                   (A) shall not affect its power or functions;  
4                   and

5                   (B) shall be expeditiously filled in the same  
6 manner as the original appointment.

7           (c) CHAIRPERSON.—The President shall appoint one  
8 of the members as the Chairperson of the Commission.

9           (d) BASIC PAY.—The members of the Commission  
10 shall receive no compensation for their service on the Com-  
11 mission.

12          (e) TRAVEL EXPENSES.—

13               (1) LEGISLATIVE BRANCH MEMBERS.—Mem-  
14 bers of the Commission from the legislative branch  
15 of the Government shall be allowed necessary travel  
16 expenses otherwise authorized by law for official  
17 travel.

18               (2) EXECUTIVE BRANCH MEMBERS.—Members  
19 of the Commission from the executive branch of the  
20 Government shall be allowed necessary travel ex-  
21 penses in accordance with section 5702 of title 5,  
22 United States Code.

23               (3) OTHER MEMBERS AND STAFF.—Members of  
24 the Commission appointed by the President and  
25 staff of the Commission may be allowed necessary

1 travel or transportation expenses as authorized by  
2 section 5702 of title 5, United States Code.

3 (f) FUNCTIONS.—The Commission shall—

4 (1) prepare, in cooperation with Federal, State,  
5 local, and nongovernmental partners, a plan to com-  
6 memorate the 100th anniversary of the beginning of  
7 the National Wildlife Refuge System on March 14,  
8 2003;

9 (2) coordinate the activities of such partners  
10 undertaken pursuant to such plan; and

11 (3) plan and host, in cooperation with such  
12 partners, a conference on the National Wildlife Ref-  
13 uge System, and assist in the activities of such a  
14 conference.

15 (g) STAFF.—Subject to the availability of appropria-  
16 tions, the Commission may employ staff as necessary to  
17 carry out its functions.

18 (h) DONATIONS.—

19 (1) IN GENERAL.—The Commission may, in ac-  
20 cordance with criteria established under paragraph  
21 (2), accept and use donations of money, personal  
22 property, or personal services.

23 (2) CRITERIA.—The Commission shall establish  
24 written criteria to be used in determining whether

1 the acceptance of gifts or donations under paragraph  
2 (1) would—

3 (A) reflect unfavorably upon the ability of  
4 the Commission or any employee of the Com-  
5 mission to carry out its responsibilities or offi-  
6 cial duties in a fair and objective manner; or

7 (B) compromise the integrity or the ap-  
8 pearance of the integrity of any person involved  
9 in those programs.

10 (i) ADMINISTRATIVE SUPPORT.—Upon the request of  
11 the Commission—

12 (1) the Secretary of the Interior, acting through  
13 the United States Fish and Wildlife Service, may  
14 provide to the Commission the administrative sup-  
15 port services necessary for the Commission to carry  
16 out its responsibilities under this Act, including serv-  
17 ices related to budgeting, accounting, financial re-  
18 porting, personnel, and procurement; and

19 (2) the head of any other appropriate Federal  
20 department or agency may furnish to the Commis-  
21 sion such advice and assistance, with or without re-  
22 imbursement, to assist the Commission in carrying  
23 out its functions.

24 (j) REPORTS.—



1           (1) ANNUAL REPORTS.—Not later than 1 year  
2           after the date of the enactment of this Act, and an-  
3           nually thereafter, the Commission shall submit to  
4           the Congress an annual report of its activities and  
5           plans to Congress.

6           (2) FINAL REPORT.—Not later than September  
7           30, 2004, the Commission shall submit to the Con-  
8           gress a final report of its activities, including an ac-  
9           counting of all funds received and expended by the  
10          Commission.

11         (k) TERMINATION.—

12           (1) IN GENERAL.—The Commission shall termi-  
13           nate upon the submission of its final report under  
14           subsection (j).

15           (2) DISPOSITION OF MATERIALS.—Upon termi-  
16           nation of the Commission and after consultation  
17           with the Archivist of the United States and the Sec-  
18           retary of the Smithsonian Institution, the Secretary  
19           of the Interior—

20                   (A) may deposit all books, manuscripts,  
21                   miscellaneous printed matter, memorabilia, rel-  
22                   ics, and other similar materials of the Commis-  
23                   sion relating to the 100th anniversary of the  
24                   National Wildlife Refuge System in Federal,

1 State, or local libraries or museums or other-  
2 wise dispose of such materials; and

3 (B) may use other property acquired by  
4 the Commission for the purposes of the Na-  
5 tional Wildlife Refuge System, or treat such  
6 property as excess property.

7 **SEC. 4. FULFILLING THE PROMISE OF AMERICA'S NA-**  
8 **TIONAL WILDLIFE REFUGE SYSTEM: LONG-**  
9 **TERM PLANNING AND ANNUAL REPORTING**  
10 **REQUIREMENTS REGARDING THE OPER-**  
11 **ATIONS AND MAINTENANCE BACKLOG.**

12 (a) UNIFIED LONG-TERM PLAN.—No later than  
13 March 1, 2002, the Secretary of the Interior shall prepare  
14 and submit to the Congress and the President a unified  
15 long-term plan to address priority operations, mainte-  
16 nance, and construction needs of the National Wildlife  
17 Refuge System, including—

- 18 (1) priority staffing needs of the System; and  
19 (2) operations, maintenance, and construction  
20 needs as identified in the Refuge Operating Needs  
21 System, the Maintenance Management System, the  
22 5-year deferred maintenance list, the 5-year con-  
23 struction list, the United States Fish and Wildlife  
24 Service report entitled “Fulfilling the Promise of

1       America’s National Wildlife Refuge System”, and in-  
2       dividual refuge comprehensive conservation plans.

3       (b) ANNUAL SUBMISSION.—Beginning with the  
4       budget request for fiscal year 2003, the Secretary of the  
5       Interior shall prepare and submit in the context of each  
6       annual budget submission, a report that contains—

7               (1) an assessment of expenditures in the prior,  
8       current, and upcoming fiscal years to meet the oper-  
9       ations and maintenance backlog as identified in the  
10      long-term plan under subsection (a); and

11             (2) transition costs in the prior, current, and  
12      upcoming fiscal years, as identified in the Depart-  
13      ment of the Interior analysis of newly acquired ref-  
14      uge lands, and a description of the method used to  
15      determine the priority status of these needs.

16   **SEC. 5. EFFECTIVE DATE.**

17       This Act shall become effective on January 20, 2001.

      Passed the House of Representatives July 11, 2000.

Attest:

JEFF TRANDAHL,

*Clerk.*